

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the "Monthly Age 18 Report" listing of Tohono O'odham Eligible Minor
members and authorizing commencement of payment of the Third Per Capita
Payment held on their behalf by Wells Fargo Bank)

RESOLUTION NO. 11-407

1 **WHEREAS, on June 28, 1997, the Nation's voters approved Initiative No. IN-01-97, the "Tohono**
2 **O'odham Voice in the Use of Gaming Revenues" ("Initiative"), which authorizes per**
3 **capita payments to the Nation's members provided that sufficient gaming revenues**
4 **are available; and**

5 **WHEREAS, the Ordinance for the Regulation of Gaming Activities within the Tohono O'odham**
6 **Nation ("Gaming Ordinance") was subsequently amended to authorize per capita**
7 **distribution payments in accordance with the Initiative (Legislative Council**
8 **Resolution No. 97-303); and**

9 **WHEREAS, in 2006 it was determined that sufficient gaming revenues were available to permit the**
10 **Nation to provide a per capita payment in accordance with the Initiative; and**

11 **WHEREAS, the Legislative Council did adopt the Third Per Capita Revenue Allocation Plan**
12 **("Plan") pursuant to Legislative Council Resolution No. 06-307, which authorized a**
13 **third per capita payment for the Nation subject to the review by the appropriate**
14 **Bureau of Indian Affairs official, as required by federal regulation; and**

15 **WHEREAS, the appropriate Bureau of Indian Affairs official, the Acting Deputy Assistant Secretary**
16 **for Policy and Economic Development, did determine that the Plan complied with the**
17 **Indian Gaming Regulatory Act and did approve the Third Per Capita Revenue**
18 **Allocation Plan (the "Plan") on July 28, 2006; and**

19 **WHEREAS, the Plan incorporated a Trust Agreement (the "Trust Agreement") with Wells Fargo**
20 **Bank that would be established to protect the interests of minors and legally**
21 **incompetent persons (the "Beneficiaries") entitled to receive per capita payments; and**

22 **WHEREAS, the Trust Agreement provided that monthly the Nation's Enrollment Office shall**
23 **prepare a listing of Beneficiaries who have attained the age of eighteen, which shall**
24 **be called the "Monthly Age 18 Report", and which shall subsequently be approved by**
25 **the Legislative Council thereby authorizing commencement of payments to identified**
26 **Beneficiaries; and**

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RESOLUTION NO. 11-407

(Approving the "Monthly Age 18 Report" listing of Tohono O'odham Eligible Minor members and authorizing commencement of payment of the Third Per Capita Payment held on their behalf by Wells Fargo Bank)

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1 **WHEREAS, on September 18, 2006, through Resolution No. 06-628, the Legislative Council**
2 **authorized the transfer of funds to Wells Fargo Bank of the amounts necessary to**
3 **cover the interests of 9,282 identified Beneficiaries; and**

4 **WHEREAS, the Enrollment Office has determined that, for the period of July 18, 2011 through**
5 **August 26, 2011 or the Monthly Age 18 Reports for the months of July 2011 through**
6 **August 2011, 71 minors have reached the age of 18 and are no longer restricted from**
7 **receiving their per capita payments; and**


8 **WHEREAS, the Enrollment Office verifies the listing of Beneficiaries who have reached age 18 and**
9 **were certified on the Master Minor Listing approved by Legislative Council Resolution**
10 **No. 06-627.**

11 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
12 **Monthly Age 18 Report for the months of July 2011 through August 2011, which is a**
13 **listing of 71 minors who have reached the age of 18 and are no longer restricted**
14 **Beneficiaries, and who are thus eligible for commencement of payments from Wells**
15 **Fargo Bank of the amounts held in trust for the identified Beneficiaries.**

16 **BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council authorizes Wells Fargo**
17 **Bank to commence payments to the 71 non-restricted Beneficiaries identified in the**
18 **July 2011 through August 2011 Monthly Age 18 Report.**

19 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 12TH Day**
20 **of SEPTEMBER, 2011 at a meeting at which a quorum was present with a vote of 2,780.60 FOR; -0-**
21 **AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by**
22 **Section 1 (d)(2) and (3) of Article VI of the Constitution of the Tohono O'odham Nation, adopted by**
23 **the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
24 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
25 **18, 1934 (48 Stat. 984).**

26
27 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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31 **Timothy Joaquin, Legislative Chairman**

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33 15 day of September, 2011
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ATTEST:

Evonne Wilson
Evonne Wilson, Legislative Secretary

14 day of September, 2011.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 15 day of September, 2011 at 8:28 o'clock, A.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL
Timothy Joaquin
Timothy Joaquin, Legislative Chairman

APPROVED

on the 16 day of September, 2011

DISAPPROVED

at 4:38 o'clock, P.M.

Ned Norris, Jr.
NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 19th day of September, 2011, at 8:31 o'clock, 2.M.

Evonne Wilson
Evonne Wilson, Legislative Secretary

ACTION: APPROVING THE "MONTHLY AGE 18 REPORT" LISTING OF TOHONO O'ODHAM ELIGIBLE MINOR MEMBERS AND AUTHORIZING COMMENCEMENT OF PAYMENT OF THE THIRD PER CAPITA PAYMENT HELD ON THEIR BEHALF BY WELLS FARGO BANK

MOVED: COUNCILWOMAN MARY LOPEZ

SECOND: COUNCILWOMAN SANDRA ORTEGA

DATE: SEPTEMBER 12, 2011

| DISTRICT | LEGISLATIVE REPRESENTATIVES | # OF VOTES | FOR | AGAINST | NOT VOTING | ABSENT |
|-----------------------------|---|-----------------|-----------------|------------|------------|-------------|
| BABOQUIVARI 342.0 | 1. FRANCES MIGUEL (Roberta Harvey) | 171.0 | X | | | X |
| | 2. FRANCES G. ANTONE (Vernon Smith) | 171.0 | X | | | |
| CHUKUT KUK 302.2 | 1. ETHEL GARCIA (Sara Mae Williams) | 151.10 | X | | | |
| | 2. BILLMAN LOPEZ () | 151.10 | X | | | |
| GU ACHI 244.9 | 1. TIMOTHY L. JOAQUIN (Rose Johnson Antone) | 122.45 | X | | | |
| | 2. CYNTHIA E. MANUEL (Louis L. Johnson) | 122.45 | X | | | |
| GU VO 226.7 | 1. GRACE MANUEL (Floyd Flores) | 113.35 | X | | | |
| | 2. PAMELA ANGHILL (Angela Ortiz) | 113.35 | X | | | |
| HICKIWAN 186.3 | 1. LOUIS R. LOPEZ (Michelle Ortega) | 93.15 | X | | | |
| | 2. SANDRA ORTEGA () | 93.15 | X | | | |
| PISINEMO 200.7 | 1. CHESTER ANTONE (<i>Absent</i>) (Tony Murrietta)(<i>Present</i>) | 100.35 | X | | | |
| | 2. EDWARD MANUEL (Gerald Fayuant) | 100.35 | X | | | |
| SAN LUCY 204.6 | 1. LORRAINE EILER () | 102.30 | X | | | X |
| | 2. JANA MONTANA (Gloria Ramirez) | 102.30 | X | | | |
| SAN XAVIER 215.8 | 1. HILARION CAMPUS () | 107.90 | X | | | |
| | 2. OLIVIA VILLEGAS-LISTON (Eugene Enis) | 107.90 | X | | | |
| SCHUK TOAK 169.8 | 1. FRANCES B. CONDE () | 84.90 | X | | | |
| | 2. FREDERICK JOSE (Phyllis Cachora) | 84.90 | X | | | |
| SELLS 475.7 | 1. ARTHUR WILSON (Kimberly Mull) | 237.85 | X | | | |
| | 2. EVELYN B. JUAN MANUEL () | 237.85 | X | | | |
| SIF OIDAK 211.9 | 1. NICHOLAS JOSE () | 105.95 | X | | | |
| | 2. MARY LOPEZ () | 105.95 | X | | | |
| TOTAL | | 2,780.60 | 2,780.60 | -0- | -0- | [02] |